

RD AN No. 4213 (1901-E)  
September 6, 2006

SUBJECT: Civil Rights and Compliance Review Self-Help Training

TO: National Office Officials  
Rural Development State Directors

ATTN: Rural Development Program Directors, State Civil Rights  
Managers/Coordinators, Management Control Officers, and  
Administrative Program Directors

**PURPOSE/INTENDED OUTCOME:**

The purpose of this Administrative Notice (AN) is to provide clarification on the General Compliance Review Requirements, and guidance on conducting training in the Self-Help Housing Technical Assistance Grant Program.

**COMPARISON WITH PREVIOUS AN:**

There has not been a previous AN issued on this subject.

**IMPLEMENTATION AND RESPONSIBILITIES:**

It is the policy of the Department of Agriculture and Rural Development to prohibit discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (Voice) or (202) 720-6382 (TDD). This policy must be communicated to the public through all appropriate channels, in English and other languages when appropriate, and in media that reach persons with disabilities, when requested, to provide a meaningful opportunity to participate in programs.

EXPIRATION DATE:  
September 30, 2007

FILING INSTRUCTIONS:  
Preceding RD Instruction 1901-E

## **General Compliance Review Requirements for Recipients of Federal Financed Assistance.**

Compliance reviews are conducted to determine if recipients of federal financial assistance, subject to Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act), Title IX of the Education Amendments Act of 1972, the Age Discrimination Act of 1975, and the Native American Housing Assistance and Self-Determination Act of 1996, are in compliance with Departmental and Agency program and civil rights requirements. The review evaluates the effectiveness of the recipient's methods and procedures to deliver program benefits to eligible participants in a non-discriminatory manner.

The State Director is responsible for ensuring that compliance reviews are scheduled and conducted on recipients in a timely manner in accordance with RD Instruction 1901-E, § 1901.204. Compliance reviews will be conducted by trained designated field staff, and monitored by the State Civil Rights Manager/Coordinator. Form RD 400-8, "Compliance Review," will be documented thoroughly as to the compliance or non-compliance of the recipient's program. Where non-compliance issues are found, the recipient will be notified, in writing, and provided 30 days to correct issue(s). The recipient must provide a work plan identifying the specific non-compliance issue(s), and the timeframes for proposed compliance.

A Portable Document Format (PDF) training module will be posted on the Rural Development intranet web page prior to the end of Calendar Year 2006.

## **Compliance with the Fiscal Year 2004, Single Family Housing (SFH) Section 523 Self-Help Housing Technical Assistance Grant Program Management Control Review.**

The Self-Help Housing Technical Assistance Grant Program is to provide financial assistance to non-profit organizations that provide technical assistance to low- and very low-income households to build their own homes in a rural area. Funds may be used to pay salaries, rent, and office expenses of the non-profit organization.

In order to ensure that all program requirements are met, SFH specialists are required to complete pre-award civil rights compliance reviews before a loan is closed, and post-award civil rights compliance reviews initially within 90 days then every three years thereafter, or until all funds are disbursed. Self-Help Housing Technical Assistance Grant Program officials will review the aspects of the recipients' programs or activities to determine if they are being implemented in accordance with the applicable Civil Rights Laws and Rural Development Instruction 1901-E.

State Directors must ensure that all specialists who work on the delivery of the Self-Help Housing Technical Assistance Grant Program receive proper civil rights training. This training is provided in order to comply with Recommendations Numbers 8 and 11 of the Fiscal Year 2004, SFH Section 523 Self-Help Housing Technical Assistance Grant Program Management Control Review. Field specialists will be able to access the module from the Rural Development Civil Rights intranet web page through Adobe Acrobat Reader Software. Training must be completed by appropriate field specialists by December 31, 2006. As a part of training, all participants will complete a brief survey to verify its completion. The Civil Rights Staff will take a sampling of the surveys for each State, to determine if this recommendation has been implemented.

If you have questions concerning this AN, please contact Mr. Carlton L. Lewis, Manager, Program Compliance Branch, Civil Rights Staff on (202) 692-0097 (Voice), (202) 692-0107 (TDD) or (202) 692-0305 (Fax).

*(Signed by Sherie Hinton Henry)*

SHERIE HINTON HENRY  
Deputy Administrator  
for Operations and Management

Sent by electronic mail on 9/21/06 at 10:30 am by CRS.  
National Office Officials and Rural Development State Directors should advise other personnel as appropriate.